

FINAL APPROVED

VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

Friday, June 24, 2011	Department of Health Professions Perimeter Center 9960 Mayland Drive, Suite #300	Henrico, Virginia
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CALL TO ORDER: A panel of the Board was called to order at 9:29 a.m.

MEMBERS PRESENT: Stephen Heretick, J.D., Chair
J. Randolph Clements, D.P.M.
Valerie Hoffman, D.C.
Gopinath Jadhav, M.D.
Jennifer Lee, M.D.
Stuart Mackler, M.D.
Karen Ransone, M.D.

BOARD COUNSEL: Amy Marschean, Senior Assistant Attorney General

STAFF PRESENT: Renée S. Dixon, Discipline Case Manager
Leigh C. Shobe, Compliance Support Specialist

COURT REPORTER: Sherelle A. Weaver, Crane Snead & Associates

**PARTIES ON BEHALF OF
COMMONWEALTH:** Wayne Halbleib, Senior Assistant Attorney General
J. Fielding Yelverton, Adjudication Specialist

**COMMONWEALTH
WITNESS:** Kathleen Schultz, D.O.
James Wall, Senior Investigator, DHP

**RESPONDENT
WITNESS:** Bill Overstreet
Dr. Steven Collins
Dr. Jan Pijamowski (*by telephone*)

MATTER SCHEDULED: Linda Sue Cheek, M.D. License No.: 0101-049522
Case No.: 125272, 126383

PRELIMINARY MATTERS: Mr. Halbleib advised that under Commonwealth Exhibit #3, page 284, contained a typographical error in the date since it referenced July and should have reflected June. He ask that the date noted be amended to June.

RULING:

The Chair noting no objections from Dr. Cheek, accepted Mr. Halbleib's amendment.

DISCUSSION:

Dr. Cheek appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated May 9, 2011. Dr. Cheek was not represented by counsel.

The Board received evidence and sworn testimony from witnesses called by the parties and Dr. Cheek regarding the matters as set forth in the Statement of Particulars dated May 9, 2011.

CLOSED SESSION:

Upon a motion by Dr. Ransone, and duly seconded by Dr. Mackler, the Board voted to convene a closed meeting pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Cheek. Additionally, she moved that Ms. Marschean, Ms. Dixon and Ms. Shobe attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION:

Upon a motion by Dr. Ransone, and duly seconded by Dr. Mackler, the Board made certain Findings of Fact and Conclusions of Law and voted to suspend Dr. Cheek's license for not less than twelve (12) months.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at a.m.

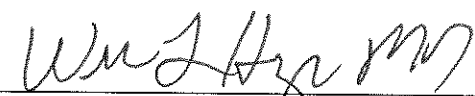
The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.



Stephen Heretick, J.D., Chair

8/5/11

Date



William L. Harp, M.D., Executive Director

9/15/11

Date

FINAL APPROVED

VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

Friday, June 24, 2011	Department of Health Professions Perimeter Center 9960 Mayland Drive, Suite #300	Henrico, Virginia
CALL TO ORDER:	A panel of the Board was called to order at 1:31 p.m.	
MEMBERS PRESENT:	Deeni Bassam, M.D., Chair Claudette Dalton, M.D. William Epstein, M.D. Jane Piness, M.D. Wayne Reynolds, D.O. Jane Maddux	
BOARD COUNSEL:	Howard Casway, Senior Assistant Attorney General	
STAFF PRESENT:	Jennifer L. Deschenes, Deputy Executive Director, Discipline William L. Harp, M.D., Executive Director of the Board	
COURT REPORTER:	Kelly Millner, Crane-Snead Reporting	
PARTIES ON BEHALF OF COMMONWEALTH:	Corie E. Tillman Wolf, Assistant Attorney General Lorraine McGehee, Deputy Director, APD	
MATTER SCHEDULED:	Torino Ravon Jennings, M.D. License No.: 0101-235681 Case No.: 137575	
DISCUSSION:	Dr. Jennings appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated May 20, 2011. Dr. Jennings was represented by Stephen Rosenthal, Esquire.	
MOTIONS:	The parties presented a Consent Order to the Board in lieu of proceeding with the formal hearing. The Board received oral argument from Ms. Wolf and Mr. Rosenthal in support of the settlement offer.	
CLOSED SESSION:	Upon a motion by Mr. Reynolds, and duly seconded by Dr. Piness, the Board voted to convene a closed meeting pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Jennings. Additionally, he moved that Mr. Casway, Ms. Deschenes, Dr.	

Harp and Jennie Wood attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION:

Upon a motion by Mr. Reynolds and duly seconded by Ms. Maddux, the Board voted to accept the Consent Order as presented. The Consent Order made certain Finding of Fact and Conclusion of Law and ordered that Dr. Jennings' license be reinstated on indefinite probation subject to certain terms and conditions.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 1:50 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.



Deeni Bassam, M.D., Chair

7/21/2011
Date



William L. Harp, M.D., Executive Director

9/15/11
Date